

**United States District Court
Eastern District of Wisconsin (Milwaukee)
CRIMINAL DOCKET FOR CASE #: 2:13-cr-00192-RTR All Defendants**

Case title: USA v. Meza

Date Filed: 10/08/2013

Date Terminated: 10/07/2014

Assigned to: Judge Rudolph T
Randa

Defendant (1)

Mariano A Meza

TERMINATED: 10/07/2014

also known as

Mariano Aleandro

Meza-Rodriguez

TERMINATED: 10/07/2014

represented by **Juval Orisha Scott**

Federal Defender Services of Wisconsin Inc

517 E Wisconsin Ave – Rm 182

Milwaukee, WI 53202

414-221-9900

Fax: 414-221-9901

Email: juval.scott@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Joseph A Bugni

Federal Defender Services of Wisconsin Inc

517 E Wisconsin Ave – Rm 182

Milwaukee, WI 53202

414-221-9900

Fax: 414-221-9901

Email: joseph_bugni@fd.org

ATTORNEY TO BE NOTICED

Designation: Federal Public Defender

Julie K Linnen

Federal Defender Services of Wisconsin Inc

222 W Washington Ave – Ste 300

Madison, WI 53703

608-260-9900

Fax: 608-260-9901

Email: julie_linnen@fd.org

ATTORNEY TO BE NOTICED

Designation: Federal Public Defender

Pending Counts

18:922(g)(5) and 924

(a)(2)UNLAWFUL TRANSPORT
OF FIREARMS, ETC.

(1)

Disposition

Time-Served sentence; No Supervised Release;

Fine is waived; \$100.00 Special Assessment

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level
(Terminated)**

None

Complaints

None

Disposition**Plaintiff**

USA

represented by **Gail J Hoffman**
United States Department of Justice
(ED-WI)
Office of the US Attorney
517 E Wisconsin Ave – Rm 530
Milwaukee, WI 53202
414-297-1731
Fax: 414-297-1738
Email: gail.hoffman@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
10/08/2013	<u>1</u>		INDICTMENT as to Mariano A Meza (1) count 1. (Attachments: # <u>1</u> Information Sheet) (msc) (Entered: 10/09/2013)
10/24/2013	<u>2</u>		NOTICE OF HEARING as to Mariano A Meza. Arraignment and Plea hrg. set for 11/8/2013 at 9:30 AM before Magistrate Judge Nancy Joseph. (cc: all counsel) (kmf)
10/29/2013	<u>3</u>		ORDER with APPLICATION for Writ of Habeas Corpus ad Prosequendum signed by Magistrate Judge William E Callahan, Jr on 10/29/2013, for the appearance of Mariano Meza on November 8, 2013 at 9:30 a.m. before Honorable Nancy Joseph in Courtroom 253. (cc: all counsel) (msc) (Entered: 10/30/2013)
10/30/2013	<u>4</u>		NOTICE OF ATTORNEY APPEARANCE: Joseph A Bugni appearing for Mariano A Meza (Bugni, Joseph)
10/30/2013	<u>5</u>		NOTICE OF ATTORNEY APPEARANCE: Julie K Linnen appearing for Mariano A Meza (Linnen, Julie)

11/07/2013	<u>6</u>	PRIOR RECORD MEMO – BOND STUDY (Sealed) filed by US Pretrial Office as to Mariano A Meza (NOTICE: Counsel for defendant is required to provide a copy of this document to the defendant.) (jm)
11/08/2013	<u>7</u>	Minute Entry for proceedings held before Magistrate Judge Nancy Joseph: Arraignment and Plea hrg. held on 11/8/13 as to Mariano A Meza (1). Defendant advised of rights, charges, penalties and fines. Not Guilty plea entered by the deft. STD: 1/17/14. Case referred to Magistrate Judge William E Callahan, Jr. for pretrial purposes. BRIEFING: 11/22/13, 12/2/13, 12/6/13. Court orders GJ materials disclosed no later than 1 business day prior to trial. VOIR DIRE: 1/9/14. TRIAL: 1/13/14 at 9:00. Deft. is currently in state custody. Crt. orders the deft. returned to state custody and a detainer lodged. Should he be released from state custody, he is to be brought back to this court for further proceedings. (Tape #9:33:59–9:37:21) (kmf)
11/08/2013	<u>8</u>	PRETRIAL ORDER as to Mariano A Meza. Motions due: 11/22/13; Responsse due: 12/2/13; Replies due: 12/6/13. Signed by Magistrate Judge William E Callahan, Jr on 11/8/13. (cc: all counsel) (kmf)
11/12/2013	<u>9</u>	Warrant Returned Executed on 11/8/13 as to Mariano A Meza. (mlm) (Entered: 11/13/2013)
11/12/2013	<u>10</u>	Detainer Lodged as to Mariano A Meza (mlm) (Entered: 11/13/2013)
11/22/2013	<u>11</u>	MOTION for Extension of Time to File by Mariano A Meza.(Linnen, Julie)
11/25/2013		TEXT ONLY ORDER signed by Magistrate Judge William E Callahan, Jr on 11/25/1 granting <u>11</u> Motion for Extension of Time to File Motions as to Mariano A Meza (1). The deft shall submit any motions by 12/6/2013. Responses, if any, are due by 12/16/2013. Replies, if any, are due by 12/20/2013. The Court makes a Speedy Trial finding that the time between November 22, 2013 and December 6, 2013 is excluded under 18:3161(h)(7)(B)(iv). (cc: all counsel) (bdf)
12/06/2013	<u>12</u>	MOTION to Dismiss <i>for Failure to Allege an Element of the Offense</i> by Mariano A Meza.(Linnen, Julie)
12/06/2013	<u>13</u>	MOTION to Dismiss <i>the Indictment</i> by Mariano A Meza.(Linnen, Julie)
12/06/2013	<u>14</u>	MOTION to Suppress by Mariano A Meza.(Linnen, Julie)
12/12/2013	<u>15</u>	NOTICE OF HEARING ON MOTION as to Mariano A Meza <u>14</u> MOTION to Suppress. Motion Hearing set for 12/19/2013 09:30 AM in Courtroom 242, 517 E Wisconsin Ave., Milwaukee, WI 53202 before Magistrate Judge William E Callahan Jr. (cc: all counsel)(bdf) Modified on 1/7/2014 (bdf).
12/17/2013	<u>16</u>	MOTION to Adjourn <i>Jury Trial</i> by Mariano A Meza.(Bugni, Joseph)
12/17/2013	<u>17</u>	LETTER <i>RE/Request to Reschedule Evidentiary Hearing</i> (Bugni, Joseph)
12/18/2013		TEXT ONLY ORDER signed by Judge Rudolph T Randa on 12/18/2013 granting <u>16</u> Motion to Adjourn 1/13/2014 Jury Trial as to Mariano A Meza. (cc: all counsel) (Zik, Linda)
12/18/2013	<u>18</u>	NOTICE OF RESCHEDULED HEARING ON MOTION as to Mariano A Meza <u>14</u> MOTION to Suppress Motion Hearing set for 1/7/2014 09:00 AM in Courtroom 242, 517 E Wisconsin Ave., Milwaukee, WI 53202 before

		Magistrate Judge William E Callahan Jr. (cc: all counsel)(bdf)
01/03/2014	<u>19</u>	ORDER with APPLICATION for Writ of Habeas Corpus ad Prosequendum signed by Magistrate Judge William E Callahan, Jr on 1/3/2014, for the appearance of Mariano A Meza on January 7, 2014 at 9:00 a.m. before Honorable William E. Callahan in Courtroom 242. (cc: all counsel) (msc)
01/07/2014	<u>20</u>	Minute Entry for proceedings held before Magistrate Judge William E Callahan, Jr: Evidentiary Hearing as to Mariano A Meza held on 1/7/2014. Testimony taken. Court set follow briefing schedule: briefs due February 3rd regarding motion to suppress – govt will file response to motion to dismiss and briefs due February 10th to motion to suppress – defense will file reply to motion to dismiss (Court Reporter Sheryl) (bdf) (Entered: 01/09/2014)
01/17/2014	<u>21</u>	TRANSCRIPT of Evidentiary hearing as to Mariano A Meza held on January 7, 2014, before Judge William E. Callahan, Jr.. Court Reporter/Transcriber Sheryl L. Stawski, Contact at 414/881-0922. Transcripts may be purchased using the Transcript Order Form found <u>on our website</u> or viewed at the court public terminal. NOTICE RE REDACTION OF TRANSCRIPTS: If necessary, within 7 business days each party shall inform the Court of their intent to redact personal identifiers by filing a Notice of Intent to Redact. Please read the policy located on our website <u>www.wied.uscourts.gov</u> Redaction Statement due 2/10/2014. Redacted Transcript Deadline set for 2/21/2014. Release of Transcript Restriction set for 4/21/2014. (Stawski, Sheryl)
01/23/2014	<u>22</u>	Writ of Habeas Corpus ad Prosequendum Returned Executed as to Mariano A Meza on 11/8/2013. (djd)
02/03/2014	<u>23</u>	RESPONSE by USA as to Mariano A Meza re <u>13</u> MOTION to Dismiss <i>the Indictment</i> , <u>14</u> MOTION to Suppress, <u>12</u> MOTION to Dismiss <i>for Failure to Allege an Element of the Offense</i> GOVERNMENT'S CONSOLIDATED RESPONSE (Hoffman, Gail)
02/03/2014	<u>24</u>	BRIEF by Mariano A Meza in Support re <u>14</u> MOTION to Suppress (Linnen, Julie)
02/10/2014	<u>25</u>	BRIEF in Opposition by USA as to Mariano A Meza re <u>14</u> MOTION to Suppress (Hoffman, Gail)
02/10/2014	<u>26</u>	REPLY TO RESPONSE to Motion by Mariano A Meza re <u>13</u> MOTION to Dismiss <i>the Indictment</i> , <u>14</u> MOTION to Suppress, <u>12</u> MOTION to Dismiss <i>for Failure to Allege an Element of the Offense</i> (Linnen, Julie)
02/25/2014	<u>27</u>	RECOMMENDATIONS as to Mariano A Meza IT IS RECOMMENDED that <u>13</u> MOTION to Dismiss <i>the Indictment</i> be denied, IT IS FURTHER RECOMMENDED that the <u>14</u> MOTION to Suppress be denied, IT IS FURTHER RECOMMENDED that the deft's <u>12</u> MOTION to Dismiss <i>for Failure to Allege an Element of the Offense</i> be denied. Signed by Magistrate Judge William E Callahan, Jr on 2/25/14. (cc: all counsel) (bdf)
02/26/2014		Case as to Mariano A Meza no longer referred to Magistrate Judge William E Callahan, Jr. File Transmitted to Judge Rudolph T Randa. (bdf)
03/11/2014	<u>28</u>	OBJECTION TO REPORT AND RECOMMENDATIONS <u>27</u> by Mariano A Meza (Linnen, Julie)

03/20/2014	<u>29</u>		RESPONSE by USA as to Mariano A Meza <i>LETTER RESPONSE RE: DEFENDANT'S OBJECTION TO MAGISTRATE JUDGE'S RECOMMENDATIONS</i> (Hoffman, Gail)
04/04/2014	<u>30</u>		Writ of Habeas Corpus ad Prosequendum Returned Executed as to Mariano A Meza on 3/21/14. (mlm) (Entered: 04/07/2014)
04/11/2014	<u>31</u>		ORDER ADOPTING REPORT AND RECOMMENDATIONS as to Mariano A. Meza signed by Judge Rudolph T. Randa on 4/11/2014. <u>12</u> <u>13</u> Motions to Dismiss DENIED; <u>14</u> Motion to Suppress DENIED. (cc: all counsel) (cb)
05/01/2014	<u>32</u>		PRIOR RECORD UPDATE MEMO – BOND STUDY (Sealed) filed by US Pretrial Office as to Mariano A Meza (NOTICE: Counsel for defendant is required to provide a copy of this document to the defendant.) (jm)
05/01/2014	<u>33</u>		Minute Entry for proceedings held before Magistrate Judge Nancy Joseph: Detention Hearing held as to Mariano A Meza. The state has released the deft. and he is here by way of a detainer. The deft. does not contest and stipulates to detention at this time. Crt. statements before ruling. Based on the stipulation to detention, the court orders the deft. detained pending further proceedings. (Tape #2:21:30–2:23:15) (kmf)
05/01/2014	<u>34</u>		ORDER OF DETENTION Pending Trial as to Mariano A Meza. Signed by Magistrate Judge Nancy Joseph on 5/1/14. (cc: all counsel) (kmf) (Entered: 05/07/2014)
06/06/2014	<u>35</u>		LETTER from Joseph A. Bugni <i>re preparing for trial</i> (Bugni, Joseph)
06/10/2014	<u>36</u>		ORDER TO CONTINUE – Ends of Justice Signed by Judge Rudolph T Randa on 6/10/2014 as to Mariano A Meza. 2–day Jury Trial set for 7/14/2014 09:00 AM in Courtroom 320, 517 E Wisconsin Ave., Milwaukee, WI 53202 before Judge Rudolph T Randa. Proposed Voir Dire Questions and Proposed Jury Instructions due by 7/10/2014. Court makes a speedy trial finding pursuant to 18 USC Sections 3161(h)(7)(A), (h)(7)(B)(i) and (v). Time excluded from 4/11/2014 until 7/14/2014. (cc: all counsel) (Zik, Linda)
06/30/2014	<u>37</u>		MOTION to Adjourn <i>Jury Trial Date</i> by Mariano A Meza.(Linnen, Julie)
07/01/2014			TEXT ONLY ORDER signed by Judge Rudolph T. Randa on 7/1/2014 GRANTING <u>37</u> MOTION to Adjourn <i>Jury Trial</i> as to Mariano A Meza. 2–day Jury Trial now set for 8/6/2014 at 9:00 AM in Courtroom 320, 517 E. Wisconsin Ave., Milwaukee, WI Judge Rudolph T. Randa. Proposed Voir Dire Questions and Jury Instructions now due 7/31/2014. (cc: all counsel) (cb)
07/01/2014			Set/Reset Deadlines as to Mariano A Meza: Voir Dire deadline 7/31/2014 (cb)
07/01/2014	<u>38</u>		NOTICE OF ATTORNEY APPEARANCE: Juval Orisha Scott appearing for Mariano A Meza (Scott, Juval)
07/31/2014	<u>39</u>		PROPOSED VOIR DIRE by Mariano A Meza. (Linnen, Julie)
07/31/2014	<u>40</u>		PROPOSED VOIR DIRE by USA as to Mariano A Meza (Hoffman, Gail)
07/31/2014	<u>41</u>		TRIAL BRIEF by USA as to Mariano A Meza (Hoffman, Gail)
07/31/2014	<u>42</u>		PROPOSED JURY INSTRUCTIONS by USA as to Mariano A Meza (Hoffman, Gail)

07/31/2014	<u>43</u>		MOTION Attorney–Conducted Voir Dire by Mariano A Meza. (Attachments: # <u>1</u> Memorandum in Support of Attorney–Conducted Voir Dire)(Linnen, Julie)
07/31/2014	<u>44</u>		MOTION to Strike <i>Surplusage from the Indictment</i> by Mariano A Meza.(Linnen, Julie)
07/31/2014	<u>45</u>		MOTION in Limine by Mariano A Meza.(Linnen, Julie)
07/31/2014	<u>46</u>		PROPOSED JURY INSTRUCTIONS by Mariano A Meza. (Linnen, Julie)
08/01/2014	<u>47</u>		NOTICE OF HEARING as to Mariano A Meza. Change of Plea Hearing set for 8/5/2014 10:30 AM in Courtroom 320, 517 E Wisconsin Ave., Milwaukee, WI 53202 before Judge Rudolph T Randa. (cc: all counsel)(Zik, Linda)
08/04/2014	<u>48</u>		PLEA AGREEMENT as to Mariano A Meza (mlm)
08/05/2014	<u>49</u>		Minute Entry for proceedings held before Judge Rudolph T Randa: Change of Plea Hearing as to Mariano A Meza held on 8/5/2014. Guilty Plea entered as to Count 1 of the Indictment. Sentencing set for 10/2/2014 10:30 AM in Courtroom 320, 517 E Wisconsin Ave., Milwaukee, WI 53202 before Judge Rudolph T Randa. Defendant remanded to custody of US Marshal. (Court Reporter Heidi Trapp) (Zik, Linda)
09/16/2014	<u>50</u>		PRESENTENCE INVESTIGATION REPORT (Sealed) filed by US Probation Office as to Mariano A Meza (NOTICE: Counsel for defendant is required to provide a copy of this document to the defendant. To view this document use your e–filing log–in and password.) (lc)
09/16/2014	<u>51</u>		SENTENCING RECOMMENDATION (Sealed – for Judge only) filed by US Probation Office as to Mariano A Meza (lc)
10/02/2014	<u>52</u>		Minute Entry for proceedings held before Judge Rudolph T Randa: Sentencing held on 10/2/2014 for Mariano A Meza–Rodriguez as to Count 1 of the Indictment. Time–Served sentence. No Supervised Release. Fine is waived. \$100.00 Special Assessment. SEE Judgment for additional details. Defendant remanded to custody of US Marshal. Defendant is to be deported to Mexico. (Court Reporter Heidi Trapp) (Zik, Linda) (Entered: 10/03/2014)
10/07/2014	<u>53</u>	14	JUDGMENT signed by Judge Rudolph T Randa on 10/7/14 as to Mariano A Meza (1), Ct 1, SENT: Time–Served; SUPERVISED RELEASE: None; FINE is waived; SPECIAL ASSESSMENT: \$100.00. Conditions of Supervised Release imposed. SEE Judgment for additional details. (cc: all counsel) (mlm)
10/07/2014	<u>54</u>		STATEMENT OF REASONS (Sealed) as to Mariano A Meza (NOTICE: Attorneys of record for the government and defendant may view this document using their e–filing log–in and password.) Signed by Judge Rudolph T Randa on 10/7/14. (cc: all counsel) (mlm)
10/08/2014	<u>55</u>		EXHIBIT LIST for 1/7/14 hearing filed by All Parties as to Mariano A Meza (cms)
10/08/2014	<u>56</u>		EXHIBITS received for USA, Mariano A Meza as to Mariano A Meza exhibit list filed. (Attachments: # <u>1</u> Exhibit List) (cms)
10/15/2014	<u>57</u>	8	NOTICE OF APPEAL by Mariano A Meza (Bugni, Joseph)

10/15/2014	<u>58</u>	11	DOCKETING STATEMENT by Mariano A Meza re: <u>57</u> Notice of Appeal (Bugni, Joseph)
10/15/2014	<u>59</u>	10	7th Circuit Information Sheet re: <u>57</u> Notice of Appeal (dmm)
10/15/2014	<u>60</u>		Attorney Cover Letter re: <u>57</u> Notice of Appeal (Attachments: # <u>1</u> Docket Sheet)(dmm)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 13-cr-192-rtr

MARIANO A. MEZA,

Defendant.

NOTICE OF APPEAL

Mariano A. Meza, by counsel, now gives notice pursuant to FED. R. APP. P. 3(c) and 4(b), that he appeals the judgment of conviction imposed on October 2, 2014, by the United States District Court for the Eastern District of Wisconsin, the Honorable Rudolph T. Randa presiding, and entered on October 7, 2014. Mr. Meza takes this appeal to the United States Court of Appeals for the Seventh Circuit.

With this notice of appeal, Mr. Meza also files the docketing statement required by CIRCUIT RULE 3 (7th Cir.) combined with a CIRCUIT RULE 26.1 disclosure statement. Mr. Meza proceeds *in forma pauperis* on appeal, as counsel in the United States District Court was appointed under the Criminal Justice Act of 1964, and Mr. Meza's financial circumstances have not changed meaningfully. FED. R. APP. P. 24(a)(3).

Dated at Madison, Wisconsin, October 15, 2014.

Respectfully submitted,
MARIANO A. MEZA, *Defendant*

/s/ Joseph A. Bugni
Joseph A. Bugni

FEDERAL DEFENDER SERVICES
OF WISCONSIN, INC.
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SEVENTH CIRCUIT APPEAL INFORMATION SHEET

Include names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal.
Use separate sheet if needed.

District: **Eastern District of Wisconsin**

Docket No.: **13-CR-192**

Division: **Milwaukee**

Plaintiff (Petitioner)
(UNITED STATES OF AMERICA

Short Caption

v. Mariano Meza)

Defendant (Respondent)

Current Counsel for Plaintiff (Petitioner):
(Respondent):

Current Counsel for Defendant

(Use separate sheet for additional counsel)

Name: Gail Hoffman
Firm: Assistant U.S. Attorney
Address: 517 E. Wisconsin Ave., Rm. 530
Milwaukee, WI 53202
Phone: (414)297-1700

Name: Joseph Bugni
Firm: Federal Defender Services
Address: 517 East Wisconsin Ave - Rm 182
Milwaukee, WI 53202
Phone: 414-221-9900

Judge: Rudolph Randa
Court Reporter: _____

Nature of Suit Code: N/A
Date Filed in District Court: 10/8/2013
Date of Judgment: 10/7/2014
Date of Notice of Appeal: 10/15/14

Counsel: ☒ Appointed ☐ Retained ☐ Pro Se

Fee Status: ☐ Paid ☐ Due ☐ IFP ☐ IFP Pending ☐ U.S. ☒ Waived

(Please mark only 1 item above)

Has Docketing Statement been filed with the District Court's Clerk's Office: ☒ Yes ☐ No

**IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK
OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(a).**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 13-cr-192-rtr

MARIANO A. MEZA,

Defendant.

**DEFENDANT'S DOCKETING STATEMENT
AND DISCLOSURE STATEMENT**

Mariano A. Meza, by counsel, now files this docketing statement pursuant to CIRCUIT RULE 3(c)(1) (7th Cir.). He files his notice of appeal simultaneously. Mr. Meza also includes here his CIRCUIT RULE 26.1 (7th Cir.) disclosure statement.

1. The United States District Court for the Eastern District of Wisconsin had jurisdiction over this federal criminal case under 18 U.S.C. § 3231. A grand jury in the Eastern District of Wisconsin charged Meza in a one-count indictment with violating 18 U.S.C. §§ 922(g)(5) and 924(a)(2).

2. The defendant-appellant is a natural person, and no party is a corporation.

FEDERAL DEFENDER SERVICES
OF WISCONSIN, INC.

3. This is a direct appeal from a judgment of conviction. The United States Court of Appeals for the Seventh Circuit has jurisdiction under 28 U.S.C. § 1291 and 18 U.S.C. § 3742.

4. The judgment that Mr. Meza appeals was imposed on October 2, 2014 and entered on October 7, 2014.

5. The notice of appeal is filed with this docketing statement on October 15, 2014.

6. There was no prior litigation in the district court arising out of the same transaction or designated by the district court as satisfying the criteria of 28 U.S.C. § 1915(g).

7. Pursuant to CIRCUIT RULE 26.1 (7th Cir.), counsel notes that only the law firm of Federal Defender Services of Wisconsin, Inc., through Julie K. Linnen, Juval O. Scott, and Joseph A. Bugni appeared for the defendant-appellant in the United States District Court for the Eastern District of Wisconsin, and only Federal Defender Services of Wisconsin, Inc., through Joseph A. Bugni, is expected to appear for defendant-appellant in the United States Court of Appeals for the Seventh Circuit.

Dated at Madison, Wisconsin, October 15, 2014.

Respectfully submitted,
Mariano A. Meza, *Defendant*

/s/ Joseph A. Bugni
Joseph A. Bugni

FEDERAL DEFENDER SERVICES
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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA
V.

JUDGMENT IN A CRIMINAL CASE

MARIANO ALEJANDRO MEZA-RODRIGUEZ

Case Number: **13-Cr-192**

USM Number: **12952-089**

Julie K. Linnen / Juval O. Scott

Defendant's Attorney

Gail J. Hoffman

Assistant United States Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One (1) of the Indictment
- ☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.
- ☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 922(g)(5) and 924(a)(2)	Possession of Ammunition by an Illegal Alien	August 24, 2013	1

The defendant is sentenced as provided in Pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____
- ☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and the United States attorney of material changes in economic circumstances.

October 2, 2014

Date of Imposition of Judgment


Signature of Judicial Officer

Hon. Rudolph T. Randa, U. S. District Judge

Name & Title of Judicial Officer

October 7, 2014

Date

Defendant: **Mariano Alejandro Meza-Rodriguez**
Case Number: **13-Cr-192**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of : **Time-Served.**

Defendant shall be given credit for time served as determined/calculated by the United States Bureau of Prisons.

The defendant is subject to deportation to Mexico

- ☐ The court makes the following recommendations to the Bureau of Prisons:
- ☒ **The defendant is remanded to the custody of the United States Marshal.**
- ☐ The defendant shall surrender to the United States Marshal for this district.
- ☐ at _____ ☐ a.m. ☐ p.m. on _____
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
- ☐ before 12:00 p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
a _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

Defendant: **Mariano Alejandro Meza-Rodriguez**

Case Number: **13-Cr-192**

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **NONE.**

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and two drug tests thereafter within one year.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☐ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notification and to confirm the defendant's compliance with such notification requirement.

Defendant: **Mariano Alejandro Meza-Rodriguez**
Case Number: **13-Cr-192**

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<u>Totals:</u>	\$100.00	waived	none

☐ The determination of restitution is deferred until _____ *An Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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Totals:	\$ _____	\$ _____
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

Defendant: **Mariano Alejandro Meza-Rodriguez**
 Case Number: **13-Cr-192**

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A** ☐ Lump sum payment of \$ _____ due immediately, balance due
☐ not later than _____, or
☐ in accordance ☐ C, ☐ D, ☐ E or ☐ F below; or
- B** ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Joint and Several
 Defendant and Co-Defendant Names, Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate:
- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.